

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

WADOOD HAMAD ET AL

Serial No.: **09/522,359**

Art Unit: **1774**

Examiner: **L. Ferguson**

Filed : **March 9, 2000**

For : **ENGINEERED CRACK RESISTANT PAPER AND BOARD**

REQUEST FOR RECONSIDERATION
AFTER FINAL REJECTION

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In the Office Action of June 19, 2002, the Examiner rejected claims 1 and 3-8 as being unpatentable over Caldwell in view of Conforti et al in view of Li et al. Claims 1 and 2 were rejected as being obvious over Ungar et al, also in view of Conforti et al and Li et al. For the reasons set forth below, these rejections are respectfully traversed.

The Examiner states that Caldwell discloses a process applicable to sheets of paper, and refers to column 5, lines 44-49. The patent states that a web of fabric that is too weak or elastomeric may be laminated to a support backing of paper or film, such as mylar. Using a backing of paper or mylar is not the same as impregnating the paper itself with a polymer. According to the disclosure of Caldwell, it is the fabric, not the paper, that is treated with polymer, as the paper only serves as a backing.

Ungar et al discloses an abrasion resistant coating present as a distinct layer in a laminate. There is no disclosure nor suggestion to apply this layer as an impregnation of a web. An abrasion coating better protects a web when it is situated above the web than impregnated into the web. The distinct layer provides a barrier to abrasion damage. The polymer of the invention impregnated into the web, does not

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provide abrasion resistance, but serves as a crack retardation and fracture impedance.

The Examiner relies upon Li et al for the disclosure of a discontinuous polymer matrix. The Examiner cites column 9, line 35 to support the position that Li et al discloses such a feature. Li et al discloses a non-uniform distribution of a matrix, not a discontinuous distribution. Column 9, line 35 discloses that the non-uniform distribution of the matrix composition may be obtained by laminating a fibrous web with a continuous layer of polymeric composition and an additional layer having a discontinuous polymer distribution. The resulting web has a continuous, non-uniform distribution of polymer.

In response to the Office Action of January 24, 2002, the rejection is therein repeated in the Office of Action of June 19, 2002, applicant argued that to apply an abrasion resistant layer, as is disclosed by Caldwell and Ungar et al, in a discontinuous manner would render it useless. The Examiner found this argument to be non-persuasive because applicant provided no support for this argument.

The argument is based on the reasoning that having a discontinuous abrasion resistant has to apply an abrasion resistant layer in a discontinuous manner would allow the untreated areas to be subject to wear and defeat the purpose of having an abrasion resistance. The argument is analogous to providing a metal part with discontinuous rust protection. The unprotected area would be allowed to rust and entirely defeat the purpose of providing a protective layer.

For the reasons set forth above, it is respectfully requested that the rejections be withdrawn and the claims allowed. The claims are allowable over the prior art and favorable action is eagerly and earnestly solicited.

If any issues remain, and the Examiner believes a telephone conversation would resolve such issues, the Examiner is urged to contact the undersigned attorney. A two month extension of time accompanies this response. If any additional

fees are due and owing, the Commissioner is authorized to charge
Deposit Account 08-2455.

Respectfully submitted,



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